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10/708,494	03/08/2004	Padmanabhan Raghunandhan		2493

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P. Raghunandhan
No 7
25th Cross Street
Besant Nagar, Chennai, 600090
INDIA

EXAMINER .

DISTEFANO, GREGORY A

ART UNIT	PAPER NUMBER
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2176

MAIL DATE	DELIVERY MODE
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09/27/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/708,494

Applicant(s)

RAGHUNANDHAN,
PADMANABHAN

Examiner

Gregory A. DiStefano

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7,9,11-14 and 24-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7,9,11-14 and 24-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 July 2007 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the amendment filed on 7/27/2007.
2. As per applicant's amendment, claims 1-6, 8, 10, and 15-23 have been cancelled, claims 25-27 have been added, and claims 7, 9, 11-14, and 24-27 are currently pending.
3. The examiner acknowledges applicant's claim to priority of the foreign application INDIA 265/MAS/2003 filed on 3/31/2003.

Drawings

4. The examiner withdraws all previous objections to the drawings based on the amendment filed on 7/19/2007.

Specification

5. The examiner withdraws all previous objections to the specification based on the amendment filed on 7/19/2007.

Claim Objections

6. The examiner withdraws all previous objections to the claims based on the amendment filed on 7/19/2007.

Claim Rejections - 35 USC § 112

7. The examiner withdraws all previous rejections to the claims under 35 USC §112 1st and 2nd paragraph based on the amendment filed on 7/19/2007.

Claim Rejections - 35 USC § 101

8. The examiner withdraws all previous rejections to the claims under 35 USC §101 based on the amendment filed on 7/19/2007.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2176

10. Claims 7, 9, 11 and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Monberg et al. (US 6,973,448), hereinafter Monberg.

11. (Currently Amended) As per claim 7, Monberg teaches the following:

selecting a telephone number, Zip code or airport code corresponding to a known location, (column 1, line 28) a user may enter an address or ZIP code;

making a correlation between the telephone number, Zip code, or airport code and the known location, (column 1, lines 30-34), i.e. if the user enters a ZIP code for the location search, a single address may be used for the ZIP code, such as a central location within the ZIP code, the location of the post office within the ZIP code, or a midpoint between multiple post offices;

searching at least one of the World Wide Web and a database to identify locations at which the desired services or information can be obtained, (column 1, lines 12-15), i.e. Internet yellow pages are a useful tool for finding a particular entity, e.g., business, or finding a type of entity in a selected region;

selecting at least one of the identified locations at which the desired services or information can be obtained, (column 5, lines 58-60), i.e. the data access software 214 matches the location and name or category information entered by a user with entries in the dataset to return a business listings result set;

determining, for each selected location, a distance between the known location and the selected location, (column 1, lines 22-23), i.e. another search may be directed to businesses located closest to a particular proximity. The examiner further notes that

in order for Monberg's system to return businesses located closest to a location, it must first calculate the distance between the location and each business; and

displaying the selected locations in order of distance between the known location and the selected location, (column 1, lines 29-30), business listings are returned, usually listed in order of closest proximity to the entered location.

12. (Currently Amended) Regarding claim 9, Monberg teaches the method of claim 7 as described above. Monberg further teaches the following:

the method further comprises providing search results in the increasing order of distance from the known location, (column 1, lines 29-30), business listings are returned, usually listed in order of closest proximity to the entered location.

13. (Currently Amended) Regarding claim 11, Monberg teaches the method of claim 7 as described above. Monberg further teaches the following:

determining a latitude and longitude corresponding to the Zip code, (column 1, lines 25-34), i.e. a proximity query may be defined by a latitude and longitude on a map, and may be limited by a defined radius of number of listings, e.g., the ten closest businesses meeting the search criteria. A user may enter an address or ZIP code, and business listings are returned, usually listed in order of closest proximity to the entered location. If the user enters a ZIP code for the location search, a single address may be used for the ZIP code, such as a central location within the ZIP code.

14. (New) Regarding claim 27, Monberg teaches the method of claim 7 as described above. Monberg further teaches the following:

the information about a location at which desired services or information can be obtained includes information about at least one type of service available at that location and further comprising displaying, for at least one selected location, information about at least one type of service available at that location, (column 1, lines 18-21), the results of the search identify a business or a particular number of businesses if the query is numerically limited, that have a physical presence (e.g., office) or a mailing address within that particular region. The examiner would like note Monberg's showing of Fig. 8, which shows an example results display where the desired service is "Pizza delivery", the selected location is "98198" and the information is shown as reference character 702.

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Monberg as applied to claim 7 as described above, in view of DeLorme et al. (US 5,559,707), hereinafter DeLorme.

17. (Currently Amended) Regarding claim 12, Monberg teaches the method of claim 7 as described above. However, Monberg does not explicitly teach a method of receiving a telephone number as input. DeLorme teaches the following:

determining a latitude and longitude corresponding to the telephone number,
(column 13, lines 4-10), i.e. three buttons in the row at 136 prompt the dialog boxes for "Locate Place Name" at 137, "Locate Zip Code" in Fig. 1E and "Locate Area Code and Exchange" in Fig. 1F. This suite of locating tools facilitates searching lists by the names of places or cities and respective states or provinces as well as locating specified places by recentering the map display upon the identified location, (column 10, lines 26-30), i.e. POI's can be represented in both digital and print media cartography and are situated or described by standard geographic coordinates such as latitude and longitude.

It would have been obvious to one skilled in the art at the time the invention was made, to have combined the input of Monberg with the telephone area code input of Delorme. One skilled in the art would be motivated to make such a modification because as shown by Delorme in figures 1 E and 1 F, telephone area codes may work in a similar fashion to postal zip codes in locating geographic areas. As Monberg's method involves the input of a postal zip code for a search area, one skilled in the art would have seen it as an obvious modification to change Monberg's method to also accept telephone area codes as an input. One skilled in the art would have found such modifications beneficial as it would have expanded the types of values Monberg's method could accept as input.

18. (Currently Amended) Regarding claim 13, Monberg teaches the method of claim 7 as described above. However, Monberg does not explicitly teach a method of receiving a telephone number as input. DeLorme teaches the following:

the telephone number contains a telephone area code, further comprising determining a latitude and corresponding to the telephone area code, (column 13, lines 4-10), i.e. three buttons in the row at 136 prompt the dialog boxes for "Locate Place Name" at 137, "Locate Zip Code" in Fig. 1E and "Locate Area Code and Exchange" in Fig. 1F. This suite of locating tools facilitates searching lists by the names of places or cities and respective states or provinces as well as locating specified places by recentering the map display upon the identified location, (column 10, lines 26-30), i.e. POI's can be represented in both digital and print media cartography and are situated or described by standard geographic coordinates such as latitude and longitude.

19. Claims 14 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Monberg as applied to claim 7 as described above, in view of Turcotte (US 6,823,260).

20. (Currently Amended) Regarding claim 14, Monberg teaches the method of claim 7 as described above. However, Monberg does not explicitly teach a method where the input location information could be an airport code with corresponding latitude and longitude. Turcotte teaches the following:

the telephone number contains a telephone area code, further comprising determining a latitude and longitude corresponding to the airport code, (column 2, lines 54-63), i.e. position information of any first format is sent to a proxy server in a location information packet. An identifier that identifies the type and format of the position information is also sent. The proxy server then takes the location information packet and based on its identifier, calls a proxy software driver, such as an executable plug-in module. The proxy driver is able to convert the position information of the first format into at least one of a plurality of published standard location formats. The examiner would like to further note Turcotte's teaching of Fig. 9, which shows possible formats of positional information being phone area code, GPS coordinates, and closest major airport code. The examiner therefore finds that Turcotte teaches a first position format could be the closest major airport code and that could be converted into GPS coordinates, which could be a latitude and longitude.

It would have been obvious to one of ordinary skill in the art at the time the invention was made, to have modified the location information of Monberg, with position information from an airport code of Turcotte. One of ordinary skill would have been motivated to make such modifications because third party services commonly need information in formats other than the one a user provides (see Turcotte column 1, lines 32-52). As shown in Monberg's Fig. 2, Monberg's method could be a third party service such as the one describe in Turcotte.

21. (New) Regarding claim 25, Monberg teaches the method of claim 7 as described above. However, Monberg does not explicitly teach a method where a location is selected on a mobile device. Turcotte teaches the following:

a mobile device is used for selecting a telephone number, Zip code or airport code corresponding to a known location, (abstract), i.e. the present invention provides location information of a mobile device to third parties in a communication network.

It would have been obvious to one of ordinary skill in the art at the time the invention was made, to have modified the input device of Monberg, with the mobile device of Turcotte. One skilled in the art would have been motivated to have made such modifications because Monberg's system is directed for online services, specifically, a web page for searching for businesses based on location, and as Turcotte teaches on column 1, line 40, at the time the invention was made, there existed "Internet capable mobile handheld devices". Therefore, it would have been obvious to one skilled in the art, that a user of an Internet capable mobile handheld device may access a Web page, such as the one described by Monberg. The examiner would like to further note Turcotte's showing of Fig. 1B where Turcotte shows a network environ

22. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Monberg as applied to claim 7 as described above, in view of Herz et al. (US 6,571,279), hereinafter Herz.

23. (New) Regarding claim 24, Monberg teaches the method of claim 7 as described above. However Monberg doesn't explicitly teach a method of providing advertisements based on the known location. Herz teaches the following:

providing advertisements based on the known location while displaying the selected locations, (abstract), i.e. LEIA customizes the information that is displayed to an information recipient based on optimizing a match between information purveyors, such as advertisers, and the information recipients who are local to an information delivery system.

It would have been obvious to one of ordinary skill in the art at the time the invention was made, to have modified the location information of Monberg with the location advertising method of Herz. One skilled in the art would have been motivated to have made such modifications because as Herz describes in column 1, lines 24-45, information purveyors desire to more efficiently target information to consumers.

24. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Monberg in view of Turcotte as applied to claim 25 as described above, further in view of Saulpaugh et al. (US 6,862,594), hereinafter Saulpaugh.

25. (New) Regarding claim 26, modified Monberg teaches the method of claim 25 as described above. However, neither Monberg nor Turcotte teach a method where advertisements are displayed and the advertisements are selected based on the nature and location of the search. Saulpaugh teaches the following:

providing advertisements while displaying the selected locations, the advertisements selected based upon the nature and location of the search irrespective of the current location of the GPS device, (abstract), i.e. the search criteria may specify a service name or a service type or both a service name and a service type. The search criteria may be compared to advertisements within the distributed computing environment to find advertisements that match the search criteria. An advertisement may be a document in the data representation language that provides access information for a corresponding service. The client may receive one or more search response messages indicating one or more advertisements that match the search criteria. The examiner would like to further note Saulpaugh's showing of Fig. 19, specifically box 204c that shows that the space for displaying the results of a service search is displayed while displaying the advertisements.

It would have been obvious to one skilled in the art at the time the invention was made to have further modified the search and display method of Monberg in view of Turcotte with the advertising method of Saulpaugh. One skilled in the art would have been motivated to have made such further modifications because both the methods of Monberg and Saulpaugh deal with users searching the Web for services or businesses. Further motivation for such a modification may be found in Saulpaugh's teaching in column 7, lines 47-55, where Saulpaugh describes how service providers may respond to service requests with related advertisements, where Monberg is an obvious example of such a service search system. Under the further modified method, the search method of Monberg would receive a search request containing a location and a service

Art Unit: 2176

identification. Saulpaugh's method would then be used to (abstract), "the search criteria may be compared to advertisements for services within the distributed computing environment to find advertisements that match the search criteria".

Response to Arguments

26. Applicant's arguments with respect to claim 7 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Hancock et al. (US 5,839,088), geographic location referencing system and method.

- Sotiroff et al. (US 5,852,810), geographic specific information search system and method.

- Dunworth et al. (US 5,930,474), internet organizer for accessing geographically and topically based information.

- Delorme et al. (US 5,948,040), travel reservation information and planning system.

- de Hond (US 6,002,853), system for generating graphics in response to a database search.

- * -Kuznetsov (US 6,021,406), method for storing map data in a database using space filling curves and a method of searching the database to find objects in a given area and to find objects nearest to a location.
- Musk et al. (US 6,108,650), method and apparatus for an accelerated radius search.
- Cooper (US 7,007,010), system and method for proximity searching position information using a proximity parameter.
- Talib et al. (US 2001/0044837), methods and systems for searching an information directory.
- Baldwin (US 2006/0106778), system and method for providing a geographic search function.

28. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2176

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory A. DiStefano whose telephone number is (571)270-1644. The examiner can normally be reached on 7:30am-5:00pm Mon.-Thurs..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on (571)272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

GAD
9/25/2007

/Doug Hutton/
Supervisory Primary Examiner
Technology Center 2100